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4 SELECT COMMITTEE TO INVESTIGATE THE
5 JANUARY 6TH ATTACK ON THE U.S. CAPITOL,
6 U.S. HOUSE OF REPRESENTATIVES,
7 WASHINGTON, D.C.

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11 DEPOSITION OF: BRIAN JACK

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Friday, February 11, 2022

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Washington, D.C.

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20 The deposition in the above matter was held via Webex, commencing at 10:02

21 a.m.

22 Present: Representative Raskin.

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2 Appearances:

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5 For the SELECT COMMITTEE TO INVESTIGATE

6 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

7

8 [REDACTED], INVESTIGATIVE COUNSEL

9 [REDACTED], STAFF ASSOCIATE

10 [REDACTED], CHIEF CLERK

11 [REDACTED], PROFESSIONAL STAFF MEMBER

12 [REDACTED], PROFESSIONAL STAFF MEMBER

13 [REDACTED], SENIOR INVESTIGATIVE COUNSEL

14

15

16 For THE WITNESS:

17

18 STANLEY WOODWARD

19 Brand Woodward Law

20 2001 K Street NW

21 Washington, D.C. 20006

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2 Automated Voice. This meeting is being recorded.

3 ██████████ And what you just heard there, Mr. Jack, is that this is being
4 videotaped like a standard deposition. So that was the notice you just heard that it's
5 being recorded.

6 But I'll say good morning. This is a deposition of Brian Jack, conducted by the
7 House Select Committee to Investigate the January 6th Attack on the United States
8 Capitol pursuant to House Resolution 503.

9 Mr. Jack, could you please state your name and spell your last name for the
10 record?

11 The Witness. Brian Jack, and my last name is spelled J-a-c-k.

12 ██████████ Great.

13 Mr. Jack, could you please raise your right hand, and you'll be sworn in for the
14 deposition.

15 The Reporter. Do you swear or affirm the testimony you're about to provide in
16 this deposition, under penalty of perjury, shall be the truth, the whole truth, and nothing
17 but the truth?

18 The Witness. Yes.

19 The Reporter. Thank you so much.

20 ██████████ Thank you, Mr. Jack. You can put your hand down.

21 So this will be a staff-led deposition, and members of the committee may of
22 course join and ask questions if they so choose.

23 But my name is ██████████ I'm a senior investigative counsel on the staff.
24 There are no members on the call, on the deposition right now, but there are two of my
25 colleagues who have joined us: ██████████ which is ██████████, and ██████████

1 which is [REDACTED] They're both investigative counsel working with me.

2 We're going to follow the house deposition rules that we've provided to your
3 counsel, Mr. Woodward, previously. And, under those rules, you are permitted to have
4 Mr. Woodward here with you and any other attorney you have.

5 So, at this time, I'll ask, Mr. Woodward, if you could come on camera and just
6 introduce yourself for the record and spell your last name.

7 Mr. Woodward. Stanley Woodward, W-o-o-d-w-a-r-d, on behalf of Brian Jack.

8 [REDACTED] Thank you.

9 Now, under the deposition rules, Mr. Jack, neither committee members nor staff
10 may discuss the substance of your testimony that you provide today unless the
11 committee approves a release. You and your attorney are of course free to tell anyone
12 or no one that you appeared today.

13 Now, you'll have an opportunity to review the transcript of the deposition today
14 with your attorney. But before I begin with asking questions, I'll just describe a few
15 ground rules, okay?

16 First, as you've already seen and heard, there's an official court reporter
17 transcribing what you're saying here today, and she is joining us by Webex as well.
18 Please wait until each question is asked, whether by me or one of my colleagues or a
19 member, before you begin your response, and we'll wait until you complete your
20 response before we ask the next question. That just helps keep the record clear.

21 The reporter can't record nonverbal responses such as shaking your head, so it's
22 important you answer each question with a verbal response, and if you forget to, I'll join
23 in and ask you to.

24 And I'll note for the record that Mr. Raskin has joined the call, the deposition.

25 Thank you for joining, sir.

1 Additionally, for the benefit of the record and the court reporter, there may be
2 times when you say a name or an acronym that I'll just ask you to spell so that we're clear
3 on what you're talking about, and just excuse me when I do that. That's why we ask.

4 We also ask that you provide complete answers to the best of your recollection.
5 If the question is not clear, just ask for clarification. And if you don't know the answer,
6 that's fine; just say so.

7 If you need a break at any point, whether for comfort or to talk to Mr. Woodward
8 privately, we're happy to accommodate that. Just let us know. You can turn your
9 camera off and go on mute. We'll do the same, so you can talk in private.

10 I don't think that the deposition will go very long today, Mr. Jack, but my plan
11 generally is we can take a break every hour, if you'd like, or otherwise if you ask. But my
12 hope is that we're done before lunchtime, okay?

13 Now, throughout the deposition, we'll be directing your attention to exhibits that
14 we'll display on the screen for you, and those are exhibits that I made available to
15 Mr. Woodward and you yesterday. When we refer you to a document, take as much
16 time as you need to refamiliarize yourself with it and read it before you answer any
17 questions.

18 If you could, I'm going to show on the screen right now exhibit 1. I have a
19 colleague who will flash that up for you.

20 Okay. And so you can see how this will work. And if it's not large enough on
21 your screen, just let us know. But that exhibit 1, do you recognize that as the subpoena
22 that you're appearing here today as a result of?

23 The Witness. I do.

24 ██████████ Okay.

25 Now, you can only refuse to answer a question to preserve a privilege recognized

1 by the select committee. If you refuse to answer a question based on a privilege, we
2 may either proceed with the deposition or seek a ruling from the chairman of the
3 committee on the objection. If the chairman overrules such an objection, you would be
4 required to answer it.

5 And further to this issue, if we can put on the screen exhibit 16?

6 I think as you and Mr. Woodward know, this is a letter that was sent to
7 Mr. Woodward's attention that we received a copy of from the White House, dated
8 yesterday, February 10th of 2022, regarding the issue of executive privilege and your
9 testimony.

10 Are you familiar with this letter?

11 The Witness. Yes.

12 [REDACTED] Okay.

13 I also want to remind you, as we do all witnesses, that it is unlawful to deliberately
14 provide false information to Congress. And since this deposition is under oath,
15 providing false information could result in criminal penalties, to include for perjury and/or
16 providing false statements.

17 Do you understand?

18 The Witness. Yes.

19 [REDACTED] Okay.

20 Do you have any questions, or Mr. Woodward, any issues we need to address
21 before we get started?

22 The Witness. No.

23 [REDACTED] Okay. Thank you.

24 EXAMINATION

25 BY [REDACTED]:

1 Q Mr. Jack, as I understand it, you worked in President Trump's administration.
2 Was it throughout the entire 4 years?

3 A Yes.

4 Q Okay. Could you just walk us through the roles you had in the
5 administration, starting from the beginning until the time when you left in January of
6 2021?

7 A Starting from the beginning --

8 Q Right.

9 A -- I was Special Assistant to the President --

10 Q Okay.

11 A -- and Deputy Director of Political Affairs. Again, that's Special Assistant to
12 the President and Deputy Director of Political Affairs.

13 I then was appointed Deputy Assistant to the President and Director of Political
14 Affairs. And I was then appointed Assistant to the President and Director of Political
15 Affairs.

16 Q How long did you have the role of Director of Political Affairs, roughly?

17 A And may I ask, are you referring to Deputy Assistant to the
18 President/Director of Political Affairs or Assistant to the President and Director of Political
19 Affairs?

20 Q Oh, I was getting confused by the titles. The last position you held when
21 you left the administration, how long had you held that role?

22 A I was appointed in September 2020 until January 2021.

23 Q And can you describe for us what the Office of Political Affairs in the White
24 House does, or at least did while you were there?

25 A Sure. The Office of Political Affairs monitors public opinion, it collects

1 political information, and advances the President's policy priorities and agenda. And it
2 has existed since 1981 and is in operation somewhat so today. I know there's a
3 successor of mine there at the White House today.

4 Q And how do you contrast that with -- as I understand, there's an Office of
5 Legislative Affairs within the White House, otherwise referred to as OLA. What was the
6 scope of OLA's work during your tenure, compared to what you did in Political Affairs?

7 A Sure. The Office of Legislative Affairs, as I understood it, was responsible
8 for maintaining and advancing the President's agenda on Capitol Hill, whereas my office
9 was responsible for monitoring and surveying political information and political issues,
10 issues of importance to the President's constituents across the country.

11 Q So, essentially, I'm hearing: keeping a finger on the pulse, politically
12 speaking, to be able to inform the President. Is that fair?

13 A That is fair.

14 Q Okay.

15 And from your tenure from September of 2020 till January of 2021 when you left
16 the administration, what was your reporting structure within the Office of Political
17 Affairs? Who did you report to, and then how many people were directly beneath you?

18 A Well, as an assistant to the President, by definition, I report to the President,
19 but, of course, at a staff level, I reported to both Mark Meadows and Jared Kushner.

20 Q And how many people did you have directly reporting to you in your office?

21 A Um, one moment. Ten.

22 Q Now, did you have an official role or title within President Trump's reelection
23 campaign?

24 A No.

25 Q Okay. But in terms of the role within OPA, did you have to -- did you keep

1 abreast or in touch with his campaign about what they were doing?

2 A In my personal capacity, yes.

3 Q Okay. And, in that regard, I think we'll take just a moment just to talk
4 about the documents that were produced and the process you went through.

5 Okay. And so it sounds like, if you had issues of a political nature for the
6 reelection campaign, would you use your personal devices if you had to communicate
7 electronically about that?

8 A Provided it was a political -- you know, a political event, that was a general
9 approach, yes.

10 Q Okay.

11 And in terms of responding to the subpoena that we looked at as exhibit 1 for the
12 committee, we know and appreciate that you produced, I think it was, 23 pages of
13 documents. It looks like it came from your personal cell phone. Is that right?

14 A Yes.

15 Q Okay. During the time covered by the subpoena, which was roughly
16 December of 2020 to January of 2021, did you have a personal computer that you used?

17 A Yes.

18 Q And just so that we understand, did you look through or have someone look
19 through your personal computer to see if you had any responsive documents for the
20 subpoena?

21 Mr. Woodward. Hey, [REDACTED] I just want to jump in. This is Stanley Woodward.
22 I handled the document collection and production.

23 [REDACTED] Sure.

24 Mr. Woodward. So I'm happy to talk to you offline about what that entailed, but
25 that's not something that Mr. Jack personally did, so I'm not sure it's appropriate to ask

1 him questions about that process.

2 [REDACTED] Just about the devices. I understand the process, and I've done it
3 many times for clients both in the government and in defense. So I'm just asking as a
4 matter of course. Stanley, you can speak about it now. Was his --

5 Mr. Woodward. Sure.

6 [REDACTED] -- computer searched?

7 Mr. Woodward. I'm confident that any responsive records to the subpoena have
8 been provided to the committee. I can get technical about why a Mac laptop and a Mac
9 iPhone are roughly mirror images of each other. But I am, as an officer of the court,
10 comfortable that we have done a thorough search for any records that are responsive to
11 the subpoena.

12 [REDACTED] Makes sense. Thank you for that. Okay.

13 BY [REDACTED]:

14 Q And, Mr. Jack, one of the documents we provided is exhibit 2 that we'll put
15 up on the screen -- it was produced by another person in the course of the
16 investigation -- and only show it to you because, I think consistent with what you said,
17 this looks to be a campaign-related communication from --

18 A Could you zoom in, please?

19 Q Yeah. If you zoom in, you'll see it's from June of 2020, coming from Faith
20 McPherson. I think I'm saying that right. It's a daily report.

21 And I only show it there because we see in the BCC line an email address of

22 [REDACTED] Is that your personal email address?

23 Mr. Woodward. Well, [REDACTED] I think our preference would not be for any of his
24 personal contact information to be on anything that might become a public record. So,
25 again, that's something I'm happy to talk to you all about, but, you know, he does have

1 some privacy concerns here.

2 [REDACTED] Sure.

3 BY [REDACTED]

4 Q Well, I'll ask it a different way. So just an email handle that ends at

5 [REDACTED] Is that the one that you would use if you did, Mr. Jack?

6 Mr. Woodward. Again, I can confirm that he used an email handle at [REDACTED]

7 [REDACTED] Okay. Thank you.

8 BY [REDACTED]

9 Q And the records that you produced, as I heard Mr. Woodward say and I think
10 is reflected in the records, Mr. Jack, it came from an iPhone. Is that right?

11 A Yes.

12 Q Okay.

13 Now, did you use -- and these are standard questions we ask everybody. Did you
14 use any other messaging apps to discuss the events that we'll be discussing today and
15 that are covered by the subpoena, such as -- and I'll just list them and just ask if you
16 did -- Signal or WhatsApp or Telegram or Parler? Did you use any of those or similar
17 messaging apps to talk with people about --

18 A And could you define the scope?

19 Q Sure. So, for instance, in terms of looking for communications to produce
20 in response to the subpoena, I'll just ask, did you use Signal during the time we're talking
21 about? And if you did, did you look through your Signal messages to see if you had
22 anything responsive?

23 Mr. Woodward. [REDACTED] can we just take a quick minute?

24 [REDACTED] Sure. We'll go off the record. It's 10:17 a.m. And just let us
25 know when where you're ready. You can come back on camera.

1 [Discussion off the record.]

2 [REDACTED]. So it's 10:18. We can go back on the record.

3 BY [REDACTED]

4 Q Mr. Jack, if I wasn't clear, I'm happy to repeat, if you'd like me to, what I was
5 asking.

6 A Yes, please.

7 Q Okay. So the only thing we're asking is just to get a sense of whether you
8 did or didn't use certain messaging apps and possibly had communications responsive to
9 the subpoena. That's the purpose of the questions.

10 And so the time period we're focused on covered by the subpoena is December of
11 2020 to January of 2021. And so I can just go through.

12 Were you using the messaging app Signal as a general matter during that time
13 that you remember?

14 Mr. Woodward. You know, [REDACTED] I think we'd like to specifically tailor the
15 question to the matters of inquiry that were identified in the subpoena as opposed to any
16 general habits that Mr. Jack may or may not have had.

17 [REDACTED] Okay. I can make it more particular.

18 BY [REDACTED]

19 Q In the context of the things we're talking about, Mr. Jack, covered by the
20 subpoena -- so discussions about the rally on January 6th or about the attack on the
21 Capitol -- did you use Signal to communicate with anyone about that during the time
22 period of December 2020 to January of 2021?

23 A No.

24 Q Okay. The messaging app WhatsApp, if you're familiar with it, same
25 question.

1 A No.

2 Q And Telegram, same question.

3 A No.

4 Q Ah, let's see. Now, if we could put up --

5 Mr. Woodward. [REDACTED], if I may?

6 Mr. [REDACTED] Go ahead, Stanley.

7 Mr. Woodward. Sure. Thank you.

8 Just to clarify my prior statement, irrespective of Mr. Jack's testimony just a
9 moment ago, I want the committee to rest assured that we conducted a thorough search
10 that was not limited by any means or manner of communication in order to identify
11 records.

12 So I appreciate the committee wanting to verify that with Mr. Jack, but, as far as
13 my role is concerned, there was not a -- the scope was not so narrow.

14 [REDACTED] Okay. Understood.

15 BY [REDACTED]

16 Q And in reviewing the documents that were produced, Mr. Jack, I think it's fair
17 to say they all related to the January 6th rally. Is that fair?

18 A Yes.

19 Q Okay. And just so we can button this up, you mentioned earlier that if it
20 was a political event you would use your personal devices. Is that why these documents
21 were on your personal phone, communications related to the rally?

22 A Well, I received outreach on my personal phone, and I understood the rally
23 to be somewhat political in nature.

24 Q Understood. And you also reached out to some folks, like Representative
25 Brooks, using your phone, your personal phone. Is that right?

1 A Yes.

2 Q Now, I think what we'll show is exhibit 4. And I'll wait until that's on the
3 screen.

4 Mr. Jack, this is a screen capture of a tweet that President Trump sent on
5 December 19th of 2020. Can you see that?

6 A Could you zoom in?

7 Q Sure.

8 Are you able to see it now?

9 A The first part of it, yes.

10 Q Okay. If we scroll down, I'll show you the date of it. And do you see there
11 December 19th of 2020 at the bottom, when it was sent?

12 A Yes.

13 Q Okay.

14 And we'll now go back up to the top -- and apologize for the back and forth, but
15 it's the nature of the virtual depositions.

16 Focusing on the -- before we look at the content of the message, I'll ask as a
17 general matter, in your role, did you monitor President Trump's Twitter account just to be
18 aware of the tweets he would send out and the response to them?

19 A Yes.

20 Q Do you particularly remember seeing this tweet on December 19th in which
21 the President at the end of the tweet says, "Big protest in D.C. on January 6th. Be there,
22 will be wild!"?

23 A I don't recall specifically remembering that tweet at the time, but I can see it
24 now.

25 Q Do you recall when you first learned of the protest or rally, whatever you

1 want to call it, on January 6th? Do you remember how you learned of that event?

2 A I don't recall.

3 Q Now, there are a series of tweets we can show that the President sent about
4 the event on January 6th, and we'll scroll through the pages, as we do that, of exhibit 4.

5 Do you recall at any point seeing any of the tweets that President Trump sent out
6 about the event?

7 A I don't recall specifically seeing this tweet, but I read it now.

8 Q Understood. And we'll -- that was from December 27th of 2020.

9 And we can keep going until we get to page 4. And if you see there, someone
10 retweets the President's tweet on January 2nd of 2021. If we can scroll down to show
11 when the President sent that.

12 Do you see there, that it's listed as being sent the evening of January 2nd of 2021?

13 A The initial tweet, I see that being the evening of January 2nd, 2021.

14 Q Yes. Correct. And if we go up just a little bit, you see that what the
15 President was tweeting was the "March for Trump" bus tour and advertisement for the
16 event on the 6th.

17 Now, did you come to learn at any point, Mr. Jack, that Women for America First
18 were affiliated with this event?

19 A I don't recall specifically remembering whether or not that entity was
20 involved with this event.

21 Q Do you know the mother and daughter who started Women for America
22 First, Amy and Kylie Kremer?

23 A I'm familiar with who they are, but I do not have a relationship with either.

24 Q We included in the documents we sent to you -- and we'll show it as
25 exhibit 5 -- a text message that Amy Kremer of Women for America First produced to the

1 committee in which she reached out to you in December of 2020.

2 Do you see those text messages?

3 A Could we zoom, please?

4 Q Absolutely. They're only from her to you. There's no response from you.

5 But the first one is sent on December 4th of 2020, and it reads, "Hey Brian! This
6 is Amy Kremer. Can you please call me. Urgent regarding the March for Trump bus in
7 Valdosta tomorrow with Mike Lindell."

8 Do you remember receiving that message?

9 A No.

10 Q Do you know whether or not you spoke to Ms. Kremer on December 4th or
11 after about the "March for Trump" bus tour in Valdosta?

12 A I don't recall speaking to Ms. Kremer.

13 Q Did you know Ms. Kremer at the time? Do you know how she got your
14 phone number?

15 A I suspect, if we can scroll up, that this was a text message sent to my official
16 phone, which, you may know, I was unable to read text messages to my official phone.
17 That's generally a practice for some in the White House.

18 Q Understood. Okay.

19 She followed up with you. If you look further down in the exhibit, that's Amy
20 Kremer. She sent a picture to you of the "March for Trump" bus.

21 And then, if you go down, again, she asks you on December 10th of 2020, "Can
22 you pls call me?"

23 Do you remember talking to Ms. Kremer at any point in December of 2020?

24 A No. And, as I stated, I do -- I was unable for the 4 years I worked at the
25 White House to read text messages sent to me on my official work phone.

1 Q Were you familiar with an event that Women for America First held in D.C.
2 on December 12th of 2020? It was a rally in support of President Trump and his
3 challenge to the election in Freedom Plaza.

4 A I don't recall that event.

5 Q So the first document that -- excuse me, I should say, of the documents you
6 produced to us, the first date on them where you're discussing the January 6th event is
7 January 4th, a Monday. And I believe it's Representative Cawthorn is the first person to
8 reach out to you.

9 We'll get to those messages, Mr. Jack, but do you remember whether it was that
10 Monday, so 2 days before the event, is when you first learned or first started discussing
11 it?

12 A I don't recall if that was the specific date that I learned of the event, but I do
13 recall that being the first date that I engaged with -- that I engaged on behalf of those
14 involved with the event.

15 Q Were you in D.C. on January 4th? I know you had a rally to go to, I think it
16 was later, the evening of the 4th. But were you in D.C. at least in the morning?

17 A Yes.

18 Q And so why don't we look at exhibit 6, which is the text message from
19 Representative Cawthorn to you. And the time of this, it looks to be that he writes you
20 at 6:41 p.m. on January 4th.

21 Do you know where you were at that time? Had you already left for the rally in
22 Georgia and were there, or were you still in D.C.? Do you know?

23 A I don't recall specifically where I was at that moment, on that date.

24 Q How did you travel to the rally?

25 A With the President.

1 Q And when you received this message from Mr. Cawthorn, he explains that he
2 was -- you know, I'll just read it.

3 "Really having a good time in congress so far. I was calling to see if you all
4 needed a speaker for the event on the morning of the 6th before POTUS speaks. But I
5 was contacted by the organizers and they invited me already. Can't wait."

6 And it shows, you know, you respond not long after that you liked his comment.

7 And if we go to page 2 of the exhibit, you explained to Mr. Cawthorn, "I'm not
8 involved with the event on the 6th (fully focused on tomorrow's runoffs), but that's great
9 news!"

10 And when you refer to the runoffs there, is that to the Georgia Senate runoffs that
11 were going to be held on January 5th, the next day?

12 A Yes.

13 Q So, whenever you learned, it's clear, at least by this point when you were
14 responding to Mr. Cawthorn, you're aware of the event on the 6th. You're just not
15 involved in it, as you said. Is that fair?

16 A Yes.

17 Q Okay.

18 Did you do anything to pass along Representative Cawthorn's message? Did you
19 talk to anyone about it? I don't -- there's no followup there other than him loving your
20 comment.

21 A Did he love my comment? I can't see.

22 Q He appears to have.

23 A No, I don't recall conveying that message or my conversation with
24 Representative Cawthorn to anyone.

25 Q Well, then, if we go to exhibit 7, it's a series of messages you exchanged with

1 Megan Powers.

2 And, to the best of your memory, is Ms. Powers the first person you engaged with
3 in any sort of substantive way on the event on the 6th when she reached out to you?

4 A To the best of my memory, yes.

5 Q And how did you know Ms. Powers?

6 A Megan Powers was the director of operations for Donald J. Trump for
7 President, Inc., in 2020.

8 Q Had she also served in the White House previously?

9 A I believe so.

10 Q And so the message she sends to you is January 4th at 6:50 p.m., so I think
11 just a few minutes after Mr. Cawthorn had written to you. And it's just a list of three
12 Representatives and three Senators.

13 Now, at this time, Mr. Jack, did you expect to be hearing from Ms. Powers about
14 the January 6th event, or did this come out of the blue?

15 Mr. Woodward. Sorry, if I could just interject. We provided a lot of detail on
16 the message on purpose. It does say sent on 6:50, but I would just observe that we've
17 also included the read time for Mr. Jack.

18

BY [REDACTED]

19 Q Okay. Fair enough. Again, I'm just -- we can get to that, but just asking,
20 Mr. Jack, had you expected to be hearing from Ms. Powers or anybody else involved in
21 the event about the potential involvement of Members of Congress?

22 A I don't recall at the time whether or not I expected to receive that, but it's
23 not -- it would not be uncommon for me to receive something like that from Megan
24 Powers.

25 Q You had told Mr. Cawthorn that you had been fully focused on the runoffs in

1 Georgia as a reason why you weren't focused on the January 6th event, if you remember
2 that. And without getting into the details, what percentage of your time, at least in
3 those days before January 5th, was devoted to the runoff in Georgia?

4 A I don't recall specific percentages, but I'm from Georgia and was very
5 interested in what would happen.

6 Q Okay. Understood.

7 And if we look at exhibit 8, this is an email exchange that you're not on but that
8 we received from someone else in the course of the investigation.

9 And if you see, on that first page, you see on January 3rd of 2021, a woman by the
10 name of Hannah Salem is asking whether we have heard from Brian Jack yet, and Megan
11 Powers responds that same day, on the 3rd, "No I called him today and yesterday," so
12 referring to Saturday, January 2nd.

13 Do you know -- first of all, I'll ask, do you know Ms. Salem?

14 A I am familiar with Ms. Salem, but I do not have a close relationship with Ms.
15 Salem.

16 Q And if you scroll down just a little bit, earlier in the chain, what they're
17 referring to, or in response to, right there, is a message from the United States Capitol
18 Police on Sunday, January 3rd, asking them, Ms. Powers and Ms. Salem and also Kylie
19 Kremer, "Just checking in to see if you have list of MOC's for Wednesday's event. Thank
20 you in advance."

21 And so, you know, do you recall, before you received, whenever you read it, the
22 text message from Megan Powers that we saw on January 4th, do you recall her trying to
23 reach you by phone before that time? Did you talk to her before she sent that
24 message?

25 A I don't recall specific outreach from her, and I don't recall speaking to her on

1 that day, January -- could you clarify which day she referred to?

2 Q She referred both to the 3rd and the 2nd, so that was, respectively, a Sunday
3 and a Saturday.

4 A I don't recall speaking to her either day.

5 Q Now, when Ms. Powers does write you -- and we can go back to exhibit 7.
6 And taking Stanley's point, it shows on the messages that are produced that she sent
7 them at -- she first reaches out to you at 6:50 p.m. and it looks like you don't read it until
8 8:14 p.m. but still on the night of the 4th.

9 Stopping there, do you recall having talked to anyone within the White House by
10 this point? And now you're in Georgia, I imagine. Had you talked to anyone within the
11 White House about the event on the 6th that you can remember when you get this
12 message and see it from Ms. Powers?

13 A Just to clarify, did I speak with anybody in the White House about the event
14 on January 6th concerning this message?

15 Q No, just generally about plans for the event.

16 A It's possible that I spoke to folks about, you know, what was going to happen
17 that week as it relates to the President and his schedule, but I don't recall any specific
18 conversations concerning the logistics.

19 Q We understand that there'd be a meeting that Anthony Ornato would hold
20 regularly on Monday, Wednesday, Fridays where people like Robert Peede and Max
21 Miller and representatives from the Secret Service would be there to understand what
22 was going on with the President's schedule.

23 Would you participate in those meetings?

24 A Certainly not regularly. Perhaps I went a few times throughout the course
25 of my 4 years in the White House, but I don't recall specifically participating in that

1 meeting, no.

2 Q And do you recall whether on January 4th of 2021 you participated in a
3 meeting of that nature that Mr. Ornato held?

4 A And, again, do I recall participating or did I participate?

5 Q Either one, whether you did or didn't. Do you know if you did that day?

6 A I do not recall -- I do not recall participating in that meeting on January 4th.

7 Q Now, if we flip to page 2 of exhibit 7 --

8 A And can we zoom?

9 Q Yeah, absolutely.

10 A Thank you.

11 Q Ms. Powers, again, had sent to you, "Just received from Katrina," and you
12 read the message.

13 Did you know who she was referring to at that time, or do you know who that is?

14 A I suspect at the time I interpreted Katrina to be Katrina Pierson.

15 Q And how do you know Ms. Pierson?

16 A Katrina Pierson was involved with President Trump's campaign in 2016 and
17 2020.

18 Q In what capacity?

19 A I don't recall her specific role.

20 Q Are you aware that she was at the White House on January 4th of 2021 to
21 meet with President Trump?

22 A At the time, I was not aware.

23 Q All right. So you didn't see her there in D.C. on that day, on the 4th, before
24 you left for Georgia?

25 A I don't recall seeing her, no.

1 Q And when you see that Ms. Powers is telling you, "Just received from
2 Katrina," did you understand what she was referring to, why Katrina would be providing a list
3 of Members of Congress and Senators to participate in the event on the 6th?

4 A I don't recall at the time interpreting what Katrina's role may or may not
5 have been. But I knew her to be a senior staffer from the President's 2020 campaign
6 and someone with senior relationships.

7 Q You continue on in that -- and we can keep it zoomed in -- on that page 2 of
8 exhibit 7. You liked Ms. Powers' message. And we'll look right there. It was the
9 second message she sent you, which is, "This is who the President wants to be invited to
10 speak for 3 minutes each on Weds."

11 So did you understand that to be a reference to the rally on Wednesday, January 6th, at
12 which the President would be appearing?

13 A At the time, I suspect that I did understand that to be in reference to the
14 rally at which the President would appear.

15 Q And then your next comment back to Ms. -- rather, your text message back
16 to Ms. Powers after that is, "Do we (OPA) need to coordinate?"

17 Were you referring to the Office of Political Affairs there?

18 A Yes.

19 Q And why were you asking that question? Or maybe your next message
20 answers that. If you go down to page 3, you follow that up with, "Seems like it would be
21 OLA." Is that the Office of Legislative Affairs?

22 A Yes.

23 Q All right. And why was that your response to Ms. Powers?

24 A Well, at the time, my office was not involved with the event on January 6th
25 at all, so I suspect that I did not want to -- I suspect at the time I did not want to engage,

1 you know, in an event that I was not yet involved in.

2 Q Now, the list of the Members, the three Members, and the Senators that Ms.
3 Powers sent -- and I'll read them again: Representative Devin Nunes, Representative
4 Jim Jordan, Representative Mo Brooks, Senator Josh Hawley, Senator Marsha Blackburn,
5 and Senator Ted Cruz.

6 Did you understand at that time those to be Members of Congress who had
7 announced an intention to object to the certification of the election on January 6th?

8 A I did not at the time, to the best of my recollection, understand any specific
9 position that they had, but I did understand them to be allies of the President.

10 Q All right. And, to that point, Mr. Jack, had you yourself been involved in
11 discussions with any of those Members or Senators about their plans to object on
12 January 6th?

13 Mr. Woodward. Can we -- can you say the question again?

14 [REDACTED] Sure.

15 BY [REDACTED]

16 Q Mr. Jack, had you been involved in any conversations with these
17 Representatives or Senators about their plan to object on January 6th?

18 Mr. Woodward. That -- I'm not trying to be nitpicky here, but that does seem to
19 be a little bit outside the scope of the subpoena, which is seeking information related
20 only to the rally or the event on January 6th as well as the attack on the Capitol. Do you
21 want to maybe tailor it a little bit more narrowly?

22 [REDACTED] No. I think that's what we're asking. It relates to the
23 communications, because that's what the appearance and discussion on the 6th was
24 about, was about the objection to the certification. And so I'm just asking whether
25 Mr. Jack had communicated with these Representatives or Senators about their plans for

1 the 6th.

2 Mr. Woodward. Well, I think, again, at the risk of being argumentative, Mr. Jack
3 did not testify that he was aware of any specific position at that time, only that they were
4 allies of the President. And so I don't think there's a foundation for that question to tie
5 it to the event on January 6th.

6 [REDACTED] I understood your objection, but I'm still asking. I can go person by
7 person.

8

BY [REDACTED]

9 Q By that point, Mr. Jack, had you spoken to -- by this point on January 4th of
10 2021, had you yourself spoken to Representative Mo Brooks about his plan to object to
11 the certification of the election on January 6th?

12 Mr. Woodward. But I think -- why don't we take a break, and we can talk about
13 whether he's going to answer that question or not.

14 [REDACTED] Sure thing. Let us know when you're ready.

15 Mr. Woodward. Thanks.

16 [Discussion off the record.]

17 [REDACTED] I should say it's 10:45. We were off camera for a few minutes
18 while Mr. Jack conferred with his attorney. Back on the record.

19 Mr. Woodward. So, [REDACTED], we want to -- he's going to answer the question. I
20 just want to clarify for the record that the information he's going to share, we're
21 not -- that's what he's going to explain. We're not 100 percent sure when the
22 conversation occurred and whether or not it was within the time period designated by
23 the subpoena.

24 We do wish, however, to provide information that is helpful to the committee.
25 And we would just note that we're not waiving any other objections that we may have

1 now or in the future to the subpoena.

2 So, if you could restate the question, Mr. Jack will provide his response.

3 [REDACTED] Thank you for that. And I appreciate that.

4 And just so I can explain: Obviously, the subpoena is -- composes two parts.
5 One is a document request, and the other is to testify. And you're absolutely right that
6 the document request is tailored in time to December 19th of 2020, I think is earliest
7 date, through the end of January of 2021 as the latest date. And so that's about the
8 documents.

9

BY [REDACTED]

10 Q But understanding now that we're just asking during your testimony about
11 this question, I'll ask it again, Mr. Jack: Did you -- we're talking, January 4th of 2021 is
12 the evening when Ms. Powers writes to you. And the question I had is: Prior to
13 then -- and I'll start with Representative Brooks -- had you spoken with Representative
14 Brooks about his plans to object to the certification of the Presidential election on
15 January 6th?

16 A I don't recall a specific conversation with Mo Brooks about those plans.
17 But I do recall after the election speaking with Representative Brooks about the White
18 House Christmas party.

19 Q Fair enough.

20 And then I'll continue to go through. Representative Devin Nunes, just the same
21 question. Had you talked to him prior to January 4th of 2021 about a plan to object to
22 the certification of the election?

23 A I don't recall speaking to Representative Nunes prior to January 4th about
24 that.

25 Q The same question with regard to Representative Jordan.

1 A I don't recall speaking to Representative Jordan before January 4th about
2 that.

3 Q And Senator Josh Hawley?

4 A I don't recall speaking to Senator Josh Hawley before January 4th about that.

5 Q And Senator Marsha Blackburn?

6 A I don't recall speaking to Senator Marsha Blackburn before January 4th
7 about that.

8 Q And same question as to Senator Ted Cruz.

9 A I don't recall speaking to Senator Cruz, Ted Cruz, before January 4th about
10 that.

11 Q Was your office, as a general matter, the Office of Political Affairs, to your
12 knowledge, involved in reaching out to any of the people we just discussed prior to
13 January 4th about the certification of the election on January 6th?

14 A I don't recall specifics. I don't recall specifically my office. But it -- I don't
15 recall specifically that.

16 Q Now, if we turn back to exhibit 7 with Ms. Powers, the text exchange, and
17 we're on page 3, and we just go down to her response to your comment about whether it
18 should be OLA, you know, her response is, "Preferably you guys. It is political, right?"

19 And then she responds after that, "Also, more so, we are so crunched on time."

20 And, then, just gonna continue on to get your -- page 4, your response to that is, "I
21 guess," with an ellipsis after that, and then to follow up on that, "I'll discuss on the flight
22 back."

23 And so, Mr. Jack, what discussion, if any, did you have, you know, whether while
24 you were still in Georgia that evening or on the flight back, about whether you and your
25 office would assist in reaching out to these Members of Congress and Senators?

1 A At the time, I don't recall -- first and foremost, I don't recall any specific
2 conversation. And, at the time, I suspect I was referring to potentially engaging
3 representatives of the President's advance office. But I don't recall speaking about the
4 event on January 6th on the evening of January 4th on Air Force One.

5 Q Was any member of the President's advance team, a senior member, with
6 you on Air Force One that night, Bobby Peede or Max Miller, that you remember?

7 A I do not remember who was on the manifest.

8 Q As we understand it, there was a conversation that took place on the flight
9 back, at least between the President and Mr. Scavino, about the events on January 6th.
10 Were you a part of that conversation?

11 A I don't recall being a part of that conversation.

12 Q At any time between January 4th and January 6th when the event takes
13 place, Mr. Jack, did you talk to the President about the event at all?

14 A No.

15 Q Did you talk to Mr. Scavino at all about the event?

16 A I don't recall any specific conversation with Mr. Scavino.

17 Q With Mr. Meadows?

18 A I don't recall any specific conversation with Mr. Meadows.

19 Q Now, if you go further down on page 4 of exhibit 7, Megan responds
20 naturally to your comment, "Just let me know. And if OLA just need a good POC."

21 Is that "point of contact"?

22 A I suspect, but I -- I don't know.

23 Q Okay.

24 And, then, if we continue to page 5, now, this is a message that Ms. Powers sends
25 to you the morning of January 5th at 9:24, and it looks like you see it at 9:36 a.m. And

1 she's following up to ask, "Were you able to discuss on the plane?"

2 Do you recall speaking to Ms. Powers that morning and whether you had decided
3 you would help or not?

4 A I don't recall a specific conversation, but I suspect she sent that because I
5 had not yet followed up.

6 Q But at some point did you make a decision whether you would help or not?

7 A I don't recall specifically making that decision, but if there are more things to
8 this text message thread, perhaps that will refresh my memory.

9 Q Okay. Well, I mean, you know you did help, right? You end up reaching
10 out to Representative Brooks. Is there a reason why you took this on, as opposed to
11 OLA?

12 A I suspect it was because Megan Powers is a friend, and I knew that I could
13 quickly reach out to some of these Members or their staffs to assist her.

14 Q That morning of January 5th, did you talk with anyone else within the White
15 House about whether you would help on this or not?

16 A I don't recall any -- again, it was a long time ago. I don't recall specific
17 conversations that morning. But -- I don't recall specific conversations with people at
18 the White House that morning.

19 Q And so Megan follows up, still on exhibit 7, on page 5, with a message to you
20 that says, "I don't have exact timing but they'd be speaking in the 9 an" -- I think she
21 means 9 a.m. -- "hour I believe," and then follows that up to say, below there, "Max says
22 that list is correct."

23 Do you know who she was referring to at that time when she says "Max"?

24 A At the time, I presumed she was referring to Max Miller.

25 Q And why would you presume that?

1 A Max was a colleague of mine and, to the best of my recollection, the only
2 Max that was on the senior staff for the President.

3 Q And if we look at exhibit 9, what I'll represent to you is -- you can see this.
4 This is a text -- a portion of the text exchange between Max Miller and Megan Powers,
5 and it's the morning of January 5th of 2021.

6 And you see there that the first message you're seeing is at 9:44 a.m., and she
7 says to Mr. Miller, "This was the list from mtg yesterday right." And it's the same
8 names, the three Representatives and three Senators, that Ms. Powers had sent to you.

9 Do you see that?

10 A Yes.

11 Q All right.

12 And Mr. Miller follows up below, "Yeah, but none of them to my knowledge have
13 been reached out to."

14 And Ms. Powers tells Mr. Miller, "Brian is doing it he just wanted me to confirm
15 with you that you heard the same list."

16 Now, I'll just stop right there. At least the way Ms. Powers explains it is that you
17 asked her to follow up with Max Miller. Do you remember having that conversation or
18 asking her to do that?

19 A I don't recall that specific conversation, but I generally proceed with a
20 trust-but-verify approach when [inaudible] information.

21 Q And is there a reason you didn't reach out to Max Miller yourself, as opposed
22 to going through Megan?

23 A I don't recall why or why not, but I do know that, again, I was very interested
24 in the runoffs in my home State, and that was my principal focus.

25 Q Understood.

1 And Mr. Miller responds in that same text message: "Yeah. But, potus also
2 said" -- and he puts in quotes -- "'if they need time to defend their position they should
3 do that instead.'" But he approved them."

4 And so, if we go back to exhibit 7 and we go to page 6 and we go down to
5 this -- right there, you see that at 9:50 a.m., Ms. Powers -- it looks like she cuts and pastes
6 that very message that Mr. Miller sent to her, that POTUS saying if they need time to
7 defend their position, and it carries on.

8 Do you see that?

9 A Yes.

10 Q Okay.

11 Now, when you understood "if they need time to defend their position," what did
12 you take that to mean?

13 A I suspect at the time I interpreted that text to reference the legislative and
14 political position that certain Members of Congress adopted concerning the election.

15 Q You mean objecting to the certification of the election?

16 A Whether objecting or voicing concerns with, I understood it to be related to,
17 again, their political or legislative position concerning that election.

18 Q Understood.

19 And your response to Ms. Powers after that is -- if we go down and to the right,
20 your next message to her by text is what appears to be a contact card. Do you see that?
21 And it says "Mo Brooks" in the message, and it looks like a contact card for a person
22 named Marshall Yates is attached.

23 A Yes.

24 Q All right. And who is Mr. Yates?

25 A I don't know.

1 Q And who provided you that contact card?

2 A To the best of my recollection, Representative Brooks.

3 Q Just to round out that text exchange --

4 A Let me clarify, Representative Mo Brooks from Alabama.

5 Q Thank you.

6 If we go to page 7, these are the last two messages to Ms. Powers that you
7 produced. One is an attachment of what appears to be a card, a contact card, without a
8 name.

9 Do you see that?

10 A I do.

11 Q Okay. And then right below that is just the name Mo Brooks.

12 Can you explain? Was that contact card without a name -- were you trying to tell
13 Ms. Powers that was the contact card for Representative Brooks himself?

14 A No. I recall that contact card being for -- I recall it being for Marshall -- if
15 we could scroll up. I don't want to misstate his name.

16 [REDACTED], if you're able to scroll up.

17

BY [REDACTED]

18 Q So, yeah, right there, there's a contact card with no name that you send.

19 A Yes. But further up -- yeah.

20 Q You were going to say?

21 A I recall -- I recall -- is it Marshall Yates?

22 Q That was the name on the contact card you first sent, yes.

23 A I didn't want to misstate the name, but I recall that being what I sent Megan
24 Powers.

25 Q Well, that's up above. And we're just doing the nitty-gritty here. So the

1 first message on page -- the last message on page 6, if you go up, is -- keep going up -- is a
2 contact card named Marshall Yates.

3 Do you see that?

4 A Yes.

5 Q Okay. And, then, if you go down, back to page 7, it's an unnamed contact
6 card. It just says "CARD_3597." And you follow that up with another text that says
7 "Mo Brooks."

8 Did you understand -- were you providing Mr. Brooks' phone number to Megan?

9 A I do not recall -- I do not recall sending Mo Brooks' phone number to Megan.
10 I suspect that may have been -- pardon my layman's terms -- that may have been a
11 double send. Sometimes if you are not over the internet, you know, it comes in as
12 green and not blue on an iPhone. I suspect that may be the reason for that.

13 I do not recall giving Mo Brooks' phone number to Megan Powers.

1

2 [11:01 a.m.]

3

BY [REDACTED]

4

5

6

Q Now, you produced a, what looks to be a note that you drafted for yourself, that's at exhibit 3, regarding your interactions with Mr. Brooks on January 4th. Do you recognize this?

7

A And if we could zoom in.

8

9

Q Sure thing. It looks like it was created at the end, so January 30, 2021. Do you recognize this?

10

A Yes.

11

12

Q Okay. And this is just a summary, it looks like, of your interactions with Representative Brooks, as best you could remember at the time?

13

Have you been able to review it all?

14

A Yes.

15

Q Okay. Is that a note you drafted yourself?

16

A Yes.

17

18

19

Q I imagine -- well, you tell me, you know, just to have something in place in case you were asked, given the media coverage of Mr. Brooks' speech at the rally on January 6th?

20

A I think that's a fair characterization as to why I drafted it.

21

Q Okay. Did you ever make this public, to your knowledge?

22

A No.

23

24

25

Q So you reference in here that you did, in fact, speak to Representative Brooks before you sent contact information to a former official of the campaign. That former official, were you referring in the statement, not by name, but to Megan Powers?

1 A To the -- well, let me reread it.

2 Q You can go all the way up to the top, Jacob. There, right there.

3 A Was informed by a former official at DOJ -- yes, I suspect I was referring to
4 Megan Powers.

5 Q Do you remember sending Mo Brooks' -- or any contact information for Mo
6 Brooks' staff to anyone other than Megan Powers in relation to the event?

7 A No. Only Megan Powers.

8 Q Okay. So in your statement, you reference that before you sent the
9 contact information to who we now know is Ms. Powers, you had a phone call with
10 Mr. Brooks. Do you remember that phone call?

11 A It was a long time ago, but I remember, and I think it stated it was, I think, a
12 4-minute phone call, and to the best of my ability at the time, I chronicled what was
13 discussed.

14 I also recall speaking about, I mean, I likely spoke about Christmas, and I likely
15 spoke about the Georgia Senate runoffs too.

16 Q And so understanding that you've summarized it here, can you just explain
17 yourself what you -- you know, how you introduced the topic to Mr. Brooks and what you
18 told him on the phone, just in your own words?

19 A Sure. I recall introducing the topic to Representative Brooks via text
20 message, which I believe we've submitted. And I recall the conversation with
21 Representative Brooks -- again, to the best of my recollection, I recall talking about
22 Christmas. I recall talking about Georgia Senate runoffs. I recall informing him that the
23 President was amenable to his participation, though understanding if he was unable to
24 participate. And I recall, you know, conveying to him that if he were interested, there's
25 a point of contact with the organizers with whom he or his staff could speak.

1 Q And other than that conversation, Mr. Jack, did you speak again to
2 Mr. Brooks before he spoke at the event on January 6th?

3 A Not that I recall.

4 Q What was Mr. Brooks' reaction during that call to the invitation from the
5 President to speak?

6 A I recall him, not to use his words, but I recall him being honored, or
7 something to that effect, and, you know, I recall him wanting to learn more. And I
8 encouraged him to connect with the organizers to learn more -- or his staff, I should say,
9 he or his staff.

10 Q Learn more about what?

11 A About the details, if he wants to speak, when he would arrive, where he
12 should go, at what time he would speak, those specifics.

13 Q Did you convey to Mr. Brooks, or did he ask, what he should talk about?
14 Was there any discussion about what he should speak about on the morning of January
15 6th?

16 A I don't recall any conversation about specific language. I suspect that
17 he -- well, I don't want to surmise anything that he believed, but I recall speaking to him
18 about the rally, and I recall him being familiar with the nature of the rally.

19 Q And what was the nature of the rally, as you understood it?

20 A I think the nature of the rally was to support President Trump, and I think
21 that he was familiar with that.

22 Q Support him in what regards, to be more particular? Did you understand it
23 to be about objecting to the certification of the election on the 6th?

24 A I don't know if that was the specific intent, but at the very least, I recall, you
25 know, informing him that if he wanted to learn more, he could speak with the organizers.

1 Again, it was a 4-minute phone call, a very brief phone call.

2 Q Now, if we look at exhibit 12 --

3 Mr. Woodward. Hey, [REDACTED] I don't know if this maybe is a good time to take a
4 break. We've been going for about an hour now.

5 [REDACTED] Happy to if you'd like. I don't know that we have much more, but
6 happy to take as much time as you want if you want a break.

7 Mr. Woodward. Yeah, if you don't mind.

8 [REDACTED] Yeah, absolutely. Just let us -- just come back on camera when
9 you're ready. Okay?

10 We'll go off the record at 11:07 a.m.

11 [Recess.]

12 [REDACTED] So we'll go back on the record. It's 11:11 p.m. Mr. Jack,
13 Mr. Woodward, welcome back.

14 BY [REDACTED]

15 Q So if we look at exhibit 12, Mr. Jack, this is going to be text messages that
16 you exchanged with Maggie Mulvaney. How do you know Ms. Mulvaney?

17 A Maggie Mulvaney is someone who was involved with Donald J. Trump for
18 President, Inc., in 2020, and I knew her through, you know, political activity.

19 Q Understood. And she reaches out to you on the 5th, January 5th, in the
20 afternoon, just saying that she needs to talk to you about tomorrow and the Members
21 coming when you have a chance. So I guess by this time, did you understand her to be
22 working with Megan Powers, just to put the event together?

23 A If we could zoom in to see time and date. Thank you.

24 Could you repeat the question?

25 Q Certainly. So you see there, she wrote you on January 5th right before

1 12:40 p.m. when you saw the message. Did you -- you understand by this point that
2 Ms. Mulvaney was working with Ms. Powers and others just on organizing the event?

3 A At the time, I presumed so.

4 Q All right. And your response to her, consistent with that, if you go to the
5 bottom of that first page, was, on January 5th at 12:50 p.m. you say, could you handle
6 Nunes and Jordan -- Nunes and Jordan, excuse me. Do you see that?

7 A Yes.

8 Q Why did you -- why did you give that to Maggie Mulvaney as opposed to
9 someone, you know, yourself or someone within your own OPA?

10 A I don't recall why I did that at the time.

11 Q If we go down to the page 2, still on exhibit 12, you write not long after to
12 Ms. Mulvaney, we're working on Hawley, Cruz, and Blackburn. Do you see that?

13 A Yes.

14 Q And then down -- right down below there, the next message you send to her
15 at 12:50 p.m. as well, is, and we've handed over Brooks. So starting with that one, when
16 you say we've handed over Brooks, that means when you texted Megan Powers to get in
17 touch with this person Marshall Yates. Is that right?

18 A I suspect that's to what I was referring.

19 Q Okay. To your knowledge, did anyone within your office have any contact
20 with Mr. Brooks after you handed it out -- over to Ms. Powers?

21 A I don't recall anyone in my office speaking to Representative Brooks.

22 Q Okay. If we back go back up then to the top of page 2, you say, We are
23 working on Hawley, Cruz, and Blackburn. Who was working with you?

24 A I don't recall specifically who was. I don't recall specifically who was
25 working with me.

1 Q Who was -- were you in the office that day on January 5th?

2 A I don't recall where I was at that time. I do recall going to the White House
3 that day. I don't recall where I was at that time.

4 Q All right. Who are the -- I know you don't specifically recall, but who within
5 your office would've been the universe of people that -- that would've been working with
6 you on this, if it's not just you?

7 A Could have been my deputy director, associate directors. It could have
8 been anybody -- you know, I would say anybody within my office, but it could have been
9 somebody who reported to me.

10 Q Fair enough. So we go down to the bottom of that page, we'll come back
11 to the Senators, but sticking with Ms. Mulvaney, and we go to the -- to the left and
12 bottom of the page, you know, Ms. Mulvaney writes to you at 12:51 -- about 12:50 p.m.,
13 Sure thing. And so did you understand Ms. Mulvaney took it on herself to reach out to
14 the offices of Representative Nunes and Jordan?

15 A I don't recall specifically to what she was referring, but I presume with this
16 text, yes. That's what she --

17 Q Okay. And we go down to page 3, still on exhibit 12, she asks you for a
18 POC. And then if you go over to your response, you say, I don't. So in other words,
19 were you saying you didn't have a point of contact for her within either the office of
20 Representative Nunes or Jordan at that time?

21 A Based on my recollection, I suppose that's to what I was referring, yes.

22 Q Okay. And then she responds to you at the bottom on page 3 at
23 3:29 -- excuse me -- at 3:27 p.m., you read it a couple minutes later. And she explains to
24 you, Nunes is a no. Leadership asked, he stays close to the floor. Jordan getting back
25 to me, but that was their concern as well.

1 Did you ever discuss with Ms. Mulvaney anything further about what the office of
2 Mr. Nunes said to her about this? Did she provide you any more color?

3 A No. I don't recall speaking -- I don't know if that's the end of the text read,
4 but I don't recall speaking to her that day about Representative Nunes.

5 Q Did you ever speak to her after the fact about why he, Representative
6 Nunes, chose not to come to the rally?

7 A I don't recall doing so.

8 Q She also explains to you that Jordan getting back to me, but that was their
9 concern as well. Do you recall having any follow-up conversation with Ms. Mulvaney
10 about Representative Jordan after this text?

11 A I -- I don't recall having a follow-up conversation with her, no.

12 Q All right. Now, Representative Jordan ended up not coming to the rally and
13 speaking on the 6th. Do you know that?

14 A I now know that.

15 Q Right. Did you at the -- around that time, whether on the 6th or the
16 immediate days afterwards, did you talk to anybody about why it was that Representative
17 Jordan did not come to the rally, do you know?

18 A I don't recall having that conversation.

19 Q So turning to the Senators then, you've produced messages where you reach
20 out to what appear to be people within the offices of Senators Cruz and Blackburn. And
21 we'll get to those, but are you aware that you've produced text messages to that effect?

22 A Yes.

23 Q All right. Didn't see anything in your production about text messages or
24 any other communications related to reach-out to Senator Hawley. Do you know who
25 reached out to Senator Hawley if at all?

1 A I don't recall who specifically reached out to Senator Hawley. It's possible
2 my office did, but I don't recall specifically reaching out to -- to him or his representatives.

3 Q And if -- did you, at that time, have a point of contact for Senator Hawley's
4 office, whether a chief of staff or otherwise, that you remember?

5 A I don't recall being familiar with folks in his office.

6 Q Okay. Were you familiar with people within Senator Cruz and Senator
7 Blackburn's offices, and that's why you reached out yourself?

8 A To clarify, I actually am unfamiliar with people within their office. I'm
9 familiar with people with relationships, but unfamiliar with people in the office.

10 Q Understood. All right. Well, then we'll get there and we'll explain. So I
11 guess similar then, but to use your language, you didn't have any similar contact for
12 Senator Hawley that you could use that you remember at that time?

13 A No.

14 Q Did you -- as you sit there, do you know of anybody who was working with
15 you who did, that you can remember?

16 A Surely people within my office may have. Likewise, you know, other parts
17 of the White House, but I don't recall specifically who.

18 Q And who was your deputy director at that time in January of 2021?

19 A I had multiple deputy directors.

20 Q How many?

21 A Three.

22 Q And who were they?

23 A Alex Latcham, Alex Willette, and Gregory Smith.

24 Q Would you mind spelling the first two last names that you said for the
25 Alexes?

1 A Sure. To the best of my ability, Alex, A-l-e-x, Latcham, L-a-t-c-h, Latcham,
2 a-m; and Alex Willette, A-l-e-x, space, W-i-l-l-e-t-t-e. Again, that's to the best of my
3 recollection.

4 Q Thank you. They're not spelling tests. Just doing the best you can.

5 So if we look at exhibit 13, it's a text exchange between you and a person that at
6 least in your phone is listed as Jeff Roe, R-o-e. Who is Mr. Roe?

7 A Jeff Roe is a political consultant.

8 Q And you say to him on January 5th at 10:17 in the morning, have something
9 regarding Cruz for you. And when you're sending that, what are you referring to in that
10 message?

11 A I, at the time, recall referring to the potential opportunity to speak.

12 Q At the rally on the 6th?

13 A Yes.

14 Q All right. And Jeff responds back to you that same day, but at 5:49 p.m., so
15 several hours later, and you read it at 5:59 p.m., it appears. And he says, sorry 5
16 minutes. So between the time -- it would appear, between the time you texted him in
17 the morning and when he responds to you, did you talk to Mr. Roe at all that you can
18 remember?

19 A I vaguely recall speaking to him, conveying similar -- I vaguely recall speaking
20 to him.

21 Q All right. Understood. And what I'm asking is, did that happen after he
22 texted you back, or do you remember talking to him before?

23 A I don't know. I don't recall the specific timing.

24 Q And when you spoke to him, what do you remember telling him?

25 A I recall, to the best of my recollection, I recall conveying to him that if

1 Senator Cruz were interested in speaking, that there was a point of contact with whom
2 Senator Cruz' office or any designee could speak to learn more about the event --

3 Q Apologize. You were referring to Megan Powers as the person you could
4 put him in touch with?

5 A I suspect that's to whom I was referring, but -- yeah, I suspect that that's to
6 whom I was referring.

7 Q And you said Mr. Roe is a political consultant. Did you understand him to
8 be a consultant who worked with Senator Cruz?

9 A Yes.

10 Q And what, if anything, did he say back to you about that opportunity and
11 whether the Senator would be interested?

12 A I don't recall him conveying whether or not Senator Cruz would be
13 interested. And I don't recall any further conversation with him that day.

14 Q Did you have any conversation with anyone else about Senator Cruz
15 participating in the rally on the 6th that you can remember?

16 A That I can remember, no.

17 Q To your knowledge, did anybody else within your office reach out to another
18 point of contact for Senator Cruz to extend the invitation, or was it just you?

19 A I don't recall anybody within my office reaching out to Senator Cruz. It's
20 possible, but I don't recall.

21 Q If we look at exhibit 14 then, it's a text exchange that you produced with a
22 person named Ward Baker. Who is Mr. Baker?

23 A A political consultant.

24 Q All right. Someone who works with Senator Blackburn, it appears?

25 A Yes.

1 Q And similar to what you did with Mr. Roe, it looks like at 10:15 a.m. on
2 January 5th, you text Mr. Baker to say, have something regarding Blackburn for you. So
3 is that also a reference to the invitation for Senator Blackburn to talk at the January 6th
4 rally?

5 A Yes.

6 Q And Mr. Baker, it appears from his text message response, right away at
7 10:15 on January 5th in the morning, says, Just called you. So it appears he missed you,
8 but did you connect with him later that day and talk to Mr. Baker about the invitation?

9 A I recall speaking to him about the invitation. I'm not sure when, but I do
10 recall speaking to him.

11 Q And what, if anything, did -- did you extend the same invitation and describe
12 it in the same way as you had with Mr. Roe?

13 A Yes.

14 Q And what was --

15 A Yes.

16 Q What was Mr. Baker's reaction? Did he tell you whether the Senator would
17 do it, would not, or what did you understand him to be saying?

18 A I don't recall him being able to answer that question on the phone. I recall
19 him suggesting that he would follow-up.

20 Q And did he follow-up with you?

21 A I do recall him texting me something to that effect -- text messaging me
22 something to that effect.

23 Q Okay. And then on page 2 of this exhibit still, just as you said, it looks at
24 1:46 p.m., and you read it at that same time, he texts you to say "Marsha is a yes, can I
25 have her COS call you?" If you go down to the next message, you can see that. Do you

1 see that?

2 No, go back up. Right there.

3 All right, can you see the message about Marsha is a yes?

4 A Yes.

5 Q All right. And when -- just for the record, when he says, can I have her COS
6 call you, is that her chief of staff? That's who you understood him to be referring to?

7 A At the time, I likely understood it to be her chief of staff.

8 Q Okay. And then if you move over to the right and go down, you respond
9 with an attachment of what appears to be Megan Powers' contact information. Does
10 that look right?

11 A Yes.

12 Q All right. So consistent with how you handled Representative Brooks, you
13 put someone in touch with Megan Powers? Yeah?

14 A Yes.

15 Q And to that effect, going down on page 3, you tell Mr. Baker, Have her COS
16 call Megan. And down at the very bottom -- that page and over to the left, go up -- at
17 1:47 p.m., Mr. Baker tells you she is very excited. Did you understand that to be a
18 reference to Senator Blackburn being very excited to speak?

19 A I -- I recall believing that to be the case, yes.

20 Q All right. Now, Senator Blackburn did not end up speaking on January 6th.
21 Are you aware of that now?

22 A I now am aware of it, yes.

23 Q Did you know that she changed her yes to a no before the event?

24 A No. I'm -- I'm unaware. I was unaware of that.

25 Q Did you ever speak to Mr. Baker after the event about why Senator

1 Blackburn did not appear?

2 A No.

3 Q All right. And did you ever talk with Senator Blackburn herself about why
4 she chose not to appear?

5 A No.

6 Q All right. You also produced a text you received from Vernon Jones,
7 seeking to speak at the rally on the 6th. Do you know Mr. Jones?

8 A Yes.

9 Q All right. And just for the record, who is he?

10 A Vernon Jones is the former chief executive officer of Dekalb County, Georgia,
11 and a former State Representative within the Georgia House of Representatives.

12 Q And if we look at exhibit 15, we'll see the text message you produced to us
13 that he sent to you, and we'll zoom in on it. On January 5th at 2:30, it looks like he sent
14 it at 2:08 p.m., and you saw it at 2:37 p.m. And I'll just read it. "Brian, will you please
15 get the word to President Trump about my announcement tomorrow at the White House
16 rally with Stop the Steal. It's important that he's aware so he can officially welcome me
17 to the party. See if he can do it when he speaks. I want to go back to Georgia and take
18 on the RINOs."

19 Did you know at that time that Representative Jordan -- excuse
20 me -- Representative Jones, at the time, intended to announce that he was changing to
21 the Republican Party?

22 A I don't recall -- I don't recall knowing that at the time. It's possible that that
23 was a news report or something to that effect, but I don't recall knowing that specifically
24 at that time.

25 Q And do you know now that he did announce it at the January 6th rally when

1 he spoke?

2 A I'd have to look at his -- the transcript of his remarks, but I know that he is
3 now, in fact, he is now a Republican candidate for Congress.

4 Q Did you have any follow-up with Mr. Jones about this text and his
5 appearance at the January 6th rally after this text message?

6 A I don't recall. I don't recall speaking to Representative Jones or responding
7 to this text message.

8 Q Did you pass his message along to anybody else to make sure they followed
9 up with him?

10 A I don't recall -- I don't recall conveying this. Frankly, I don't recall -- I don't
11 recall reading this text message at the time. Of course, it says I read it, but I don't recall
12 remembering much about it.

13 Q Now, Mr. Jones was not on the, I'll just represent to you, is not on what's
14 known as the run-of-show as of the night of January 5th, but he does end up speaking on
15 the 6th. Do you know anything about how that ended up happening, that he was added
16 to it at all?

17 A No, I don't.

18 Q So turning to the day of the 6th, can you just walk us through your day?
19 Did you -- where you were on the 6th in the morning. Did you come to work?

20 A I don't recall specifically the timing, so if I may be general?

21 Q Sure.

22 A I recall it being a very late night because the -- in fact, I recall, you know, the
23 Associated Press ended up calling one of the races around 3 or 4 a.m. So I recall, you
24 know, sleeping in that morning, and I recall going to the White House in the afternoon.
25 I'm not sure when.

1 Q When you refer to the calling the election, just so we're clear, was that the
2 Georgia runoff elections?

3 A Well, it was one of them. I think the other was called later. I can't recall if
4 it was Senator Warnock's or Senator Ossoff's election that was called earlier, but yes.

5 Q Where was your office within the White House? Were you in the White
6 House itself, or were you in the old Executive Office Building?

7 A I was in the old Executive Office Building.

8 Q And understanding you can't remember specifically when, but was the rally
9 still going on when you arrived at your office that afternoon?

10 A I don't recall it going on when I arrived, no.

11 Q Before you arrived, were you aware of any violence at the Capitol?

12 A I suspect at the time I saw Twitter reports or news reports, but I don't
13 specifically recall exactly what I was aware of when I entered the White House grounds.

14 Q So what do you -- as best you can, how do you remember learning of the
15 violence starting at the Capitol? You think it was through Twitter?

16 A Either through Twitter or watching the -- watching the news at home.

17 Q When you arrived at work, did you go to the Executive Office Building to
18 your office, or did you go to the White House itself?

19 A The Executive Office Building.

20 Q Did you ever go to the White House during the day of the 6th, or did you
21 stay at the Executive Office Building?

22 A Wanted to clarify, are we referring to the West Wing or --

23 Q Yes.

24 A -- the White House complex?

25 Q The West Wing, yes.

1 A I don't recall going to the West Wing on January 6th?

2 Q Did you see the President at all on January 6th that you can remember, in
3 person?

4 A No.

5 Q Did you have any conversations with him that day on January 6th?

6 A No.

7 Q Did you have any conversations with Mark Meadows on January 6th, that
8 you can remember?

9 A I don't recall having a conversation with Mark Meadows that day.

10 Q Now, are you aware of the -- at the time since you said you monitored the
11 President's Twitter account, did you see the tweets he sent out the afternoon of January
12 6th after the violence at the Capitol started?

13 A It's -- I likely did, as I would have received notification for any tweet, but I
14 don't recall specifically reading that specific tweet at that moment.

15 Q Did you have any input into any tweets he was sending out on January 6th?

16 A No.

17 Q Are you aware that he, President Trump, published to Twitter a video at
18 4:17 p.m. on the 6th, telling people at the Capitol to go home?

19 A I'm now aware, and certainly shortly thereafter, yes.

20 Q Did you have any input into -- into filming that video before it was released?

21 A No.

22 Q All right. Any forewarning that it was going to go out, or you just saw it
23 after the fact?

24 A I recall seeing it after the fact.

25 Q All right. Do you remember when you left your office that day?

1 A I don't recall the time, no.

2 Q But afternoon or evening, roughly?

3 A Likely somewhere in between, yes.

4 [REDACTED] I think I'm going to just stop there for a second and just look at my
5 notes, and I think we're almost done, Mr. Jack. Just give me a brief moment, okay?

6 Okay. I don't have any further questions, Mr. Jack, but I'll ask my colleagues who
7 are on, [REDACTED] and [REDACTED], if they do, okay?

8 Gentlemen, any questions before we end today?

9 [REDACTED] No, I don't have anything to add. Thank you.

10 [REDACTED] Mr. Jack, were you going to say something? I'm sorry.

11 The Witness. Well, may I offer -- well, upon conclusion of your questioning, may
12 I offer a closing statement?

13 [REDACTED] Absolutely. So it doesn't appear that any of my colleagues have
14 other questions and I'm done, so thank you for answering and happy to hear your
15 statement.

16 The Witness. Yeah. I today have likely spent more time testifying here at the
17 Dwight D. Eisenhower National Republican Center on this matter than I did in aggregate,
18 you know, as it relates to that rally. And it's unfortunate I've had to spend tens of
19 thousands of dollars on this, but I'm glad I was able to answer questions to the best of my
20 ability.

21 [REDACTED] We appreciate that, and that's noted for the record. So we'll close
22 the deposition record and thank you again for being here.

23 Mr. Woodward. Thank you all.

24 [REDACTED] Take care.

25 [Whereupon, at 11:36 a.m., the deposition was concluded.]

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Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date